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June 5, 2007

BY E-FILE AND HAND DELIVERY

The Honorable Joseph J. Farnan, Jr.
United States District Court, District of Delaware
844 North King Street
Wilmington, DE 19801

Re: *NICE Systems, Inc. and NICE Systems, Ltd. v. Witness Systems, Inc.*
C.A. No. 06-311

Dear Judge Farnan:

We represent Plaintiffs NICE Systems, Inc. and NICE Systems, Ltd. (collectively "Nice") and write concerning Nice's Expedited Motion to Compel Discovery Relating to Certain Documents Produced by Defendant Witness Systems, Inc. [DI 160].

Counsel have reached an agreement which obviates the need for expedited resolution and allows the motion to be heard at the next regularly scheduled discovery hearing on July 13, 2007. The need for expedited consideration was driven by the deposition of Mr. Hegebarth which was scheduled for June 7. Counsel have today agreed to delay the deposition until the second half of July, after Your Honor's next regularly scheduled hearing of discovery motions on July 13.

By way of brief background, counsel for both parties were trying to avoid imposing on Your Honor with a request for expedited resolution. The deponent apparently was away and, as a result, unavailable to confirm alternative dates. Defendant Witness today

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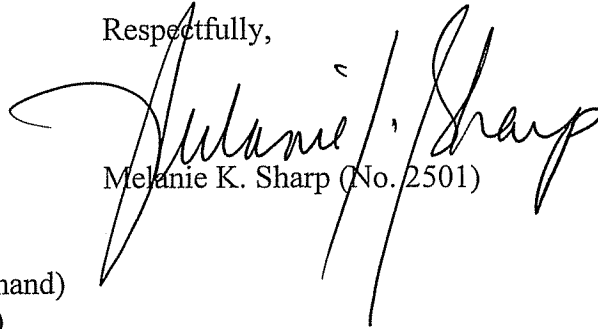
The Honorable Joseph J. Farnan, Jr.

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communicated proposed alternative dates for its witness, and counsel readily reached the agreement described above. Nice disagrees with any suggestion to the contrary in Witness's Opposition but nonetheless apologizes for any inconvenience to Your Honor.

Respectfully,

A handwritten signature in black ink, appearing to read "Melanie K. Sharp". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Melanie K. Sharp (No. 2501)

MKS:ch

cc: William J. Marsden Jr., Esquire (by hand)
Scott G. Lindvall, Esquire (by email)